

West Virginia Developmental Disabilities Council  
Quarterly Meeting  
Waterfront Plaza Hotel, Morgantown, WV  
October 26, 2010  
**Minutes**

**Members Present:** Christy Black, Sarah Brown, Bob Cain, Joyce Church, Richard Covert, Ash Dey, Ronald Dean, Jeannie Elkins, Sandy Haberbosch, Clarice Hausch, Amber Hinkle, Betty Holliday, Ann Hubbs, Jane McCallister, Stephanie Jackson, Kelly Miller, Christina Mullins, Pat Nisbet, Richard Perry, Clark Queen, Karen Ruddle, Tina Tanner, Stacey Thomas, and Pat Winston.

**Members Absent:** Virginia Gattlieb, Carlos Lucero, M.D., Clint Martin, Julie McClanahan, Jerry Ramsey, Karen Robinson, John David Smith, and LuAnn Summers.

**Guests:** Melina Danko, CED WVU; and Nancy Ellison, Concord University.

**Staff Present:** Steve Wiseman, Jim Cremeans, Linda Higgs, and Tiffany Wiseman.

**Welcome, Introductions, and Announcements**

Jeannie called the meeting to order and welcomed all Members. All Council Members introduced themselves. Jeannie welcomed Stacey Thomas, the newest Council Member. She also announced WVA will be providing Special Education (IEP) Training in November in Elkins, WV.

**Mission Statement Reminder**

Tina read the Council's Mission Statement.

**Public Comments**

None.

### **Approval of July 13, 2010 Meeting Minutes**

Jeannie asked Members to review the July 2010 Council Meeting Minutes to determine if any corrections needed to be made. Amber asked that the following statement be added to the CYAC grant section on page six, “Amber abstained due to involvement with the project.” **Christy moved the Minutes be approved with the correction. Ron seconded. Motion carried.**

### **New Business**

#### **Legislative Priorities for 2011**

Steve reviewed the recommended Legislative Statements for 2011 as well as the process used to develop them. He also discussed each priority and why it was chosen. This year, in the area of Education, the development of a statewide restraints and seclusion policy is of particular importance. Federal legislation on this topic has passed each house but a compromise has not been reached. In the area of Employment, the Council will continue to support legislation that ensures integrated employment for people with developmental disabilities with competitive wages. In the area of Community Supports, the Council will support legislation that invests adequate funding for services that support people with developmental disabilities to live in their own homes and neighborhoods, eliminates the institutional bias, ensures rebalancing of Medicaid and other public funding. And otherwise moves the State toward full Olmstead Plan Implementation, as approved by the Governor in October 2005. In the area of Public Funding, the Council will continue to advocate for the restoration of and increases in State and Federal funding necessary to maintain or enhance critical support services that allow people with developmental disabilities to live, work, and play in the community. In the area of Unserved/Underserved, the Council supports legislation that strengthens safeguards for people with developmental disabilities who do not qualify for or are being denied Medicaid MR/DD Waiver, Aged and Disabled Waiver, and other relevant publicly funding community supports. People with developmental disabilities must be protected from abuse, neglect, and preventable death, and have access to essential services and supports. In the area of Behavioral Health Licensure Regulations, the Council would oppose any changes to the behavioral health licensures rules that would

cause persons' private homes to be designated or treated like facilities. In the area of Guardianship, the Council will advocate for clarification of Guardianship laws to permit the pursuit of limited guardianship in all areas of the State, and to allow for family members who are guardians to be providers of service under the MR/DD Waiver program. Clarice stated language should be added to make people aware that the right for an individual to vote is lost if it is not written into a guardianship order for that person to retain the right.

Ann suggested language should be added concerning children with sensory disorders. She stated children with sensory disorder need to be taught in a manner that uses and builds upon their sensory abilities; otherwise, they are being excluded from the educational process. Karen suggested the language be added to the second bullet under Education. Steve recommended the addition of, "responsive to the sensory and learning styles needs". Lastly, Karen suggested the Carl Lee Perkins Act be added to the third statement under Education. Clarice recommended adding "state regulations" to the third statement under Education. Karen stated she will do some research to make a suggestion to the Employment statements concerning higher education and training for people with developmental disabilities to obtain competitive employment. **Joyce moved to approve the Legislative Statements for 2011 with the recommended suggestions. Tina seconded. Motion passed.**

### **Recommendations for Long Term Care Report**

Steve discussed the study of Intermediate Care Facilities for persons with Mentally Retarded (Intellectual Disabilities) "ICFs/MR" in West Virginia<sup>1</sup> being carried out by the Council and the Olmstead Council. Considerable research has been compiled concerning the ICFs/MR from national and State sources. A preliminary report will be developed to detail the history of the ICFs/MR nationally and in WV; an analysis of the WV ICF/MR program; and arguments for and against keeping facilities as part of the long term care system. The plan is to contract with a knowledgeable consultant who will meet with and produce

---

<sup>1</sup> In WV there currently are 66 ICFs/MR ("group homes") that contain 511 beds.

personal profiles of six people in WV ICFs/MR and six people who receive MR/DD Waiver services in the community. A final report will be developed which will include findings, recommendations, and input from national experts. Pat Nisbet asked if the people interviewed will be randomly selected. Steve responded that, the people in the ICFs/MR would be chosen to be representative of residents labeled “behaviorally challenging”, “medically fragile”, and those who have been institutionalized for a long time. The individuals on the Waiver will be some of the people who have rich and fulfilling lives at home and in the community.

**Christy moved the Council move forward with the project. Tina seconded. Pat Nisbet abstained as she works for the Bureau for Medical Services. Pat Winston abstained as she works for DHHR and often engages in activity involving ICFs/MR.**

### **Other Business**

#### **Members’ Comments**

Ann shared that since the last meeting, she found the issue of childcare for older children using diapers is not an insurance issue; it is a licensing one.

#### **Five Year State Plan Update**

Christy reported the State Plan Workgroup met on October 18, 2010, to develop recommendations for investigating and evaluating the quality and availability of services and supports to people with developmental disabilities. The group agreed the Council will complete 14 public forums in 7 cities and utilize a web-based program to set up the Needs Survey. The workgroup will plan, develop, and distribute advertising materials. The workgroup will meet with Julie Pratt to plan the World Café style public forums.

#### **MR/DD Waiver Update**

Pat reported that the Bureau for Medical Services (BMS) applied for the Money Follows the Person planning grant. BMS will be working with the WV Health Institute to develop the grant. The Traumatic Brain Injury Waiver application is now being reviewed by the Centers for Medicare and Medicaid Services (CMS).

Pat also reported 4,484 people are currently on the MR/DD Waiver and 150 new slots were added in July 2010. CMS has approved the MR/DD Waiver application. BMS is currently working on the Manual. It is anticipated that the Manual will be posted for the 45 day Public Comment period around December 1, 2010. Educational forums are planned to take place in January and February 2011. Implementation should take place in March (after completion of public forums). Pat also shared some changes to the Waiver due to disapproval by CMS. There will be four separate types of Person Centered Supports billing codes under the new Waiver: Agency (not family members); Other (family/in-home member); Agency with Choice; and Participant Directed Option.

## **Presentations**

### **WVU CED Communications**

Melina Danko, Communications Manager for WVU CED, presented information about CED publications and dissemination activities. Twenty nine programs reported 2,154 dissemination activities. Over 118,031 participants were made aware of the CED and its activities. Last year, CED increased their public presence by increasing the number of *Access for All* shows, TV commercials and attendance at non-disability related events. CED disseminated 158,999 products last year including: brochures, newsletters, how to guides, handbooks, white papers, research finding, web publications, television shows and commercials. Over 150 new products were developed last year (newsletters, fact sheets, brochures, etc.). A new accessible Web site has also been developed for the CED. Many accessibility features have been added including changeable font colors, font size, spacing, etc. Melina also shared clips from several *Access for All* episodes.

### **Prioritizing Goals and Objectives**

Steve presented on how the Council will be selecting areas of emphasis, goals, and objectives for the new Five Year State Plan (10/1/11 – 9/30/16). He discussed that the Council must select areas to concentrate its efforts and resources. The Council should collaborate with others to address barriers and make systems changes. A variety of approaches will be used to gather information that will aid

in determining what areas of emphasis will be addressed in the State Plan (e.g. forums, surveys, direct solicitation of information from people with developmental disabilities, their families, and other interested stakeholders). Steve also shared a new way to determine Council projects. He reviewed a chart that can be used to categorize where a project fits into the Council's Mission as well as determine what activities must be completed. Steve also discussed the strategies used to address the State Plan Goals. Inputs, Outputs, and Outcomes of Council projects were also discussed as well as the process used when determining how projects will fulfill State Plan goals and objectives.

### **School Transition Presentation to State Board of Education**

Jeannie Elkins shared the presentation she gave at a State Board of Education meeting. She stated Pat Homberg, Executive Director of the DOE Office of Special Programs, gave a brief presentation, prior to her own, about autism. Jeannie's presentation provided an understanding of Alan's school and work history. She highlighted the transitional supports he needed to be successful. Alan has been employed at Boone Memorial Hospital for seven years (in which he received a 25% raise after his evaluation). He continues to become more independent and enjoy social activities. He has now moved into self advocacy activities on a state and national level.

### **School Transition Activities by Office of Special Programs, Department of Education**

Karen Ruddle gave a brief explanation as to how to navigate the WV DOE Web site. Karen shared several tabs and links that may be particularly useful to Council Members.

The Students tab includes several useful links which includes the ABE ConXtions link. The link will take you to a large resources document. No Child Left Behind data can be found under the Data on Demand tab. All public data is located under this tab. If one clicks on the Office of Special Programs tab, a new set of tabs will appear on the left. The most current/searched for links will appear on

the middle of the page. Documents related to the IEP process, can be found on this page.

Karen also discussed data collection, processes, outcomes, and planning. This year, Karen stated, her focus has been on ensuring students and families are making informed choices. She also reported 95% of students, aged 16 and above, have transitioning services and goals included on their IEPs. Next year, she will be able to report on the quality of the transitioning information included on the IEPs. Karen also reviewed another feature on the WV DOE Web site: Teach IEP tab. On this tab, individuals can engage in an interactive and educational IEP training. Lastly, Karen shared pages from the DOE site that includes helpful resource links. Steve spoke about the Career and Technical Education demonstration project funded by the Council and endorsed by the WV Department of Education. He would like to see information about this initiative on the Office of Special Programs' site. Karen stated it will be based on "modified completion points." She shared the CTE program allows a student to earn a certificate through a CTE program which gives credit for competencies mastered. This approach makes it possible for students with developmental disabilities to not only attend a CTE program when they would not typically be permitted do so, but it also allows them to graduate with a typical rather than modified diploma. It prepares those students to gain jobs in technical fields. Karen said she will inform everyone when the page is developed and published to the site.

### **Education Toolkit**

Clarice discussed a collaboration project between WVA and the Council: *A Parent's Advocacy Guide for Policy 2419*. She stated a child has no better tool than an educated parent. This project is about helping parents become informed and confident advocates. The "toolkit" will be user friendly with the understanding that most look for information that is needed at the moment. Jeannie, Christy, Jim, Tiffany, and Steve of DDC and Clarice, Teresa Brown, and Teresa McDonough of WVA have worked together to develop the content of the "toolkit". A parent focus group was formed to review the toolkit to determine the

usability. The parent focus group is especially important to ensure the information is easy to read and find. The “toolkit” is anticipated to be complete by February/March. It will be available, free of charge, to parents of children with developmental disabilities. Advocacy Tips, Tools, and stories will be included in the “toolkit”.

### **Feedback Forms**

Jeannie requested all present to complete and turn in the Meeting Feedback Forms.

**Adjournment:** By acclamation.

Next Meeting: January 25, 2011, Charleston, WV.